

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TOLEDO MACK SALES &
SERVICE, INC.,

Plaintiff,

v.

MACK TRUCKS, INC.

Defendant.

Civil Action No. 2:02-CV-04373-RLB

JURY TRIAL DEMANDED

MACK TRUCKS, INC.,

Counterclaim
Plaintiff,

v.

TOLEDO MACK SALES & SERVICE,
INC.,

Counterclaim
Defendant.

JURY TRIAL DEMANDED

**DEFENDANT/COUNTERCLAIM PLAINTIFF MACK TRUCKS, INC.'S PROPOSED
SPECIAL JURY INTERROGATORIES**

Pursuant to Local Rule 16.1(d)(4)(b), Defendant/Counterclaim Plaintiff Mack Trucks, Inc. respectfully submits the following proposed special interrogatories.

MACK'S COUNTERCLAIMS

Misappropriation of Trade Secrets – MACSPEC 2001

1. The Court has already determined that Toledo Mack misappropriated Mack's trade secrets when Toledo Mack provided MACSPEC 2001 to PAI.

Amount of damages \$ _____.

Please proceed to Question 2.

Misappropriation of Trade Secrets and Confidential Business Information – Price Lists and Microfiche

2. Did Toledo Mack misappropriate Mack's trade secrets and/or confidential business information when it provided Mack's parts price lists and microfiche to PAI?

YES _____

NO _____

If your answer is "yes," please proceed to Question 3. If your answer is "no," please proceed to Question 4.

3. Amount of damages: \$ _____.

Please proceed to Question 4.

Civil Conspiracy

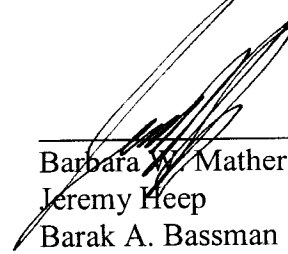
4. Did Toledo Mack and PAI engage in a conspiracy to misappropriate Mack's trade secrets and/or confidential business information?

YES _____

NO _____

Please inform the bailiff that your deliberations are complete.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara W. Mather', is written over a horizontal line.

Barbara W. Mather
Jeremy Heep
Barak A. Bassman
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth & Arch Streets
Philadelphia, PA 19103-2799
(215) 981-4000

Attorneys for Defendant/Counterclaim Plaintiff
Mack Trucks, Inc.

Dated: October 5, 2006

CERTIFICATE OF SERVICE

I, Jeremy Heep, hereby certify that on October 5, 2006 a true and correct copy of the foregoing Defendant/Counterclaim Plaintiff Mack Trucks, Inc.'s Proposed Jury Interrogatories, was served via hand delivery upon the following:

Wayne Mack
J. Manly Parks
Duane Morris LLP
30 South 17th Street
Philadelphia, PA 19103



Jeremy Heep